

The regular meeting of the Town Assembly of the Village of Arden was held on January 28, 1985, Chairman William Press presiding.

In attendance were:

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|---------------------|-----------------------|-------------------------|
| Jon Moyed (NV) | Beverly Barnett | Lanier Colgan |
| Helen Macklem | Jean K. Brachman | Jim Brooks |
| Mary Wilkinson | Eugene Shaw | Mary Trench |
| Virginia E. Shaw | Shaul Gladstone | Naomi Clark |
| Beatrice Jaffe | John Grimaldi | Dane Miller |
| Lori Hubner | Bob Wynn (NV) | Emily George |
| Sarah S. Hamburger | Pat Liberman | Elizabeth Varley Walker |
| Jean S. Miller (NV) | Cy Liberman | Meg Little |
| Mary E. Irons | Ethel Monfort | Ruth Panella |
| Don Holcomb | Harold Monfort | |
| Delphine Goslin | Allen Riblett | Marjorie Roberts |
| Robert W. Jones | Lisa Riblett | Hugh Roberts |
| Patricia Press | John Berk | Marjorie VanGulick |
| Bill Press | Frank Guessford (NV) | Judith Kay (NV) |
| Bernard Brachman | Robert Lockerman (NV) | |
| Ruth Estes | Aaron Hamburger | Larry Walker |
| Anne Berlin | Ralph Luker | Kate Kelly (NV) |
| Charles Salkeld | Susan W. Rohrbach | Matt O'Connor |
| Dan Szurgyjlo | Alida Fish | Ellen Dolmetsch |
| Ruth Holcomb | Ed Rohrbach | Thacker Higgins |
| Lee Starr | Marion McCullough | Susan Warner |
| Cecilia Vore | Thomas Colgan | Paul Thompson |
| Sally Thurston | Joan W. Colgan | John Landis |
| Bill Bailey | Barbara Fenske | Sharon Snyder |
| W. Vandever | Monica Schultes (NV) | Frank Young |
| Rae Gerstine | Gail Rinehart | David Warner |
| Greg Condiff | Connie McKinney | Frank Skutowicz |
| Alton Danl | Tim Colgan | Michael K. Curtis |

Minutes of the September meeting were distributed and approved.

Communications:

- A letter from the Claymont Fire Co. offering open communication and asking to attend a "Civic Association" meeting.
- Letter from the Chesapeake Bay Girl Scout Council requesting that Arden proclaim April 22, 1985 as Girl Scout Leaders Day. Proclamation unanimously approved.
- Announcement of ACRA Valentine Dance, 9 PM-1 AM, February 9 at the Gild Hall.
- John Grimaldi read the recently updated New Castle County dog ordinance increasing the mandatory fines for:

| | | |
|-------------------------------|------------------|-------------------------|
| no dog license..... | \$50-200..... | first offense |
| | \$200-500..... | each subsequent offense |
| lack of restraint & control.. | \$25-50..... | first offense |
| | \$50-100..... | each subsequent offense |
| dog bites..... | \$50-100..... | first offense |
| | \$200-500..... | each subsequent offense |
| not confining vicious.... | \$200-500..... | first offense |
| animals | \$500-1,000..... | each subsequent offense |

It was pointed out later in the meeting that these strictures apply only to unincorporated areas of the County, thus Arden is not

included.

Updating Harvey Road Safety

Representative Gwyn Smith was unable to attend Town Assembly due to illness; her proposals were presented by Cy Liberman. Jon Moyed and Monica Schultes from the Delaware Department of Transportation were present to answer questions.

Representative Smith was primarily interested in finding out what the three Ardens want done with Harvey Rd. She requests that a committee from the three Ardens be formed to work out proposals. Rep. Smith proposes that Harvey Rd. be kept a two-lane road, that the shoulders be built up and provided adequate drainage, and that a stop sign be erected on Harvey at Veale making the right turn onto Harvey from Veale the through street.

Discussion:

Con. The Highway Dept. has said in the past that they will not repave Harvey Rd. without bringing it up to the Federal standard, i.e. a four-lane highway. This would require 60 ft. of right-of-way; 40 ft. of road and 10 ft. shoulders on either side. The road is currently about 23 ft. wide. If the Highway Dept. repaves without using federal standards, the State would have to bear the entire cost, it would receive no federal funds. We do not want the road widened.

Safety on Harvey Rd. is not a problem of widening the road but of enforcing the existing speed limits. If the road is fixed up, people will drive even faster.

The temporary construction work on the road would be disruptive and dangerous.

Pro. It is irresponsible of Arden to sanction leaving Harvey Rd. in its present unsafe condition. We must solve the drainage problem, create proper shoulders, and smooth out the major dip (the site of several fatal accidents).

The widening and repaving of Grubb Rd. from Faulk to Naamans has been well done. This project was entirely State funded, it does not bring the road up to federal standards.

Ideas. How about repaving the road with no shoulders, just gutters?
How about gravel rather than cement guttering on the sides?

Committee Reports

Trustees - Cy Liberman

Enclosed with the land rent bills was a letter from the Trustees. Despite a few typographical errors the message was clear--if you receive a property tax bill from the county be sure to forward it to the Trustees immediately in order to avoid penalties charged by the county for late payment. Any such charges incurred in the future will be passed on to leaseholders. This applies only to property tax bills. It does not apply to sewer service charges.

The county is currently conducting a reassessment of all

real estate. We are attempting to have the notices of the reassessment figures sent to the Trustees. If such notices come to you, please give them to Rae Gerstine or one of the Trustees. We are eager to see those figures and to see whether Arden is treated fairly. The Trustees have appointed a committee to review the reassessment. It consists of Aaron Hamburger, Warren Hoffman and Cy Liberman.

On financial matters, the land rent for the next fiscal year, starting March 25, has started to come in. We have received about \$6,400 of the \$136,000 due. Rent collection for the current fiscal year is proceeding. We have about \$6,400 still to be collected.

You have a copy of the quarterly financial report. It shows the town is managing to stay within the budget with a few exceptions. Starting with this report we are providing a breakdown of our administrative expenses. You will see that insurance is a major item. That is the cost of the town's liability insurance for all the town's property and it includes fire insurance on the Village Center. This is not a new item.

Assessors - Bill Press

Bill Press has been elected chairman, Harold Monfort, Secretary. Shaul Gladstone has resigned due to the press of his new responsibilities as County Secretary of Safety. Carl Falco, alternate, will fill his place.

Audit - Alton Dahl

The committee has audited the accounts of the Playground Committee at their request and found them to be in order.

Budget - Harold Monfort. No Report.

Buzz Ware Village Center - Sue Rohrbach

The committee has met on a regular monthly basis since the September town meeting.

Diane Kershaw has resigned; Sarah Moore, acting chair for the past year, has taken over as chairperson. Susan Warner is the committee replacement.

The committee has granted permission for installation of sodium vapor lights on the basketball court behind the Village Center. Two lights will be installed with sun sensors and vandal proof covers. One light will remain on all night, the other will turn off at 11 PM by timer. Estimated cost of lighting is \$450 to be paid for by WMA maintenance agreement.

The committee has accepted WMA's 5 year major maintenance proposal. A copy of this proposal is available through this committee or WMA. The proposal will be reviewed item by item before approval is granted.

Civic - Gail Rinehart

We have been able to complete several maintenance projects over the past few months. Most of the work involved paving and pruning. We also had the roads cleaned, as we do every year, so there will not be flooding due to plugged storm lines during heavy rains. 12 rocks were placed along the right-of-way on Meadow Lane. This appears to be an effective solution to the illegal access problem.

We are looking for someone to shovel the doorways and paths at the BWVC. Anyone interested should contact Gail Rinehart. We pay \$5-8 for small jobs; \$10 for large jobs.

Many of our small jobs have been completed including the split rail fencing, theater seats, road signs, etc.

I would like to publicly thank the following people for their contributions to our success: The committee members, Woody Vandever, Al Bratten, Larry Walker, Bob Osborne.

We had to remove 2 cherry trees on the Arden Green near the Weave Shop. We are looking to replace them this year. Suggestions of types of trees to plant would be welcome.

I would like to remind residents not to dump their debris on open town land such as the stile path, the lot by Millers and Marsh, and various stream inlets.

We are experiencing quite a bit of turfing on the greens. I encourage you to call either me or the police if you witness such incidents.

The committee received a letter this week proposing that a town path from the Arden Green to the woods be transferred to a private leasehold. (Other committees also received this letter). It is my personal feeling that since we are the group assigned to maintain and oversee non-leasehold town lands, we are the ones who will need to review the situation and come up with a proposal to the March Town Meeting where the town will need to decide whether to approve the transfer of land. Obviously we will begin our discussion at the next committee meeting in mid-February. Anyone who is interested in expressing an opinion should plan to attend that meeting.

Garbage contract - We recommend that the town continue the relationship with Laxton Enterprises. This means behind-the-house pick-up twice a week. The cost will be \$34,000, a jump from \$27,500 (\$6,500 difference).

Special town clean-up is still being studied.

Garbage Discussion:

Laxton cannot explain his reason for the jump in his price. We do know landfill costs are expected to rise substantially. Ardencroft residents pay a higher individual price for curbside service and that does not include service on the Greens.

Special clean-up is a problem. Would the town consider the alternative of a large dumpster placed at the BWVC for a week? The problem is, people would not be able to haul bulky or heavy items to the dumpster. If we do choose to have a dumpster, perhaps we could have one in the Fall and the Spring instead of just once a year.

The Bailey request for making the firelane part of their new leasehold (the old Herzog house). The current lane is 12 ft. wide and is rarely used as access to the woods, there are more convenient accessways. This change would increase their land rent.

Community Planning - Cecelia Vore

The Community Planning Committee has been meeting at least once a month since the last town assembly and has the following items to report.

- The Memorial Garden. Several diseased trees have been cut down. The assembly instructed us at the September meeting to review the rules for use of the Memorial Garden. We have done so, and feel that no further clarification of the rules are

necessary beyond the changes we made in September

- Ordinance #13. We received one request for an exemption from this ordinance (the off-street parking ordinance that goes into effect in June). We have denied this request. In our discussions we developed some criteria for granting exemptions. These preliminary criteria are available for anyone interested. The committee discussed the logistics for implementing and enforcing the ordinance, we suggest the following: requests for exemptions should be made in writing to the chairperson of the Community Planning Committee. Once a decision has been reached, the person requesting the exemption will receive a written explanation of the decision. Any appeals of the decision will be made to the Town Assembly. A reminder that the ordinance will soon go into effect was sent to all leaseholders along with their land rent bills earlier this month. The reminder included the full text of the ordinance and the appeal procedure.
- The committee has preliminary suggestions, opinions, and complaints to submit to State Representative Gwynn Smith regarding future improvements to Harvey Rd.
- We have continued discussions about the revised edition of the Arden Book and continue to welcome suggestions.

Cecelia Vore agreed to coordinate a committee including the other two Ardens to review the Harvey Rd. improvement project.

Playground - Larry Walker

With reluctance, the Playground Committee accepted the resignation of Rowena Austin. The committee would like to thank Rowena for her years of service on the committee and for serving as the Chairperson. She was active and enthusiastic, the committee will miss her leadership.

The required inspections of the playground equipment were performed and the necessary repairs made. All equipment is in good shape and no major repairs are planned with the exception of the basketball standard and backboard at the rear of the BWVC. A new, low-maintenance standard and backboard have been received, but the committee's budget is exhausted. We intend to approach the Civic Committee and the BWVC Committee to see if their funds could be used to install the equipment. If no funds are available from those committees, we will store the equipment until the next fiscal year when the Playground Committee's budget can be used for the installation costs.

In December, the Playground Committee submitted its records to the Audit Committee for review. This annual audit is a requirement of the town to ensure that the Playground Committee's scheduled inspections and recordkeeping provide adequate protection for the town in the event of equipment failure or accident. The Audit Committee was satisfied with the existing maintenance records; one minor recommendation was made and will be implemented in future maintenance records.

Playground Committee has assumed maintenance responsibility for all structures on the Greens including park benches, picnic tables, and flagpoles. The committee is concerned about the badly deteriorated condition of the cedar flagpole on the Village Green. While it has historical and sentimental value to the community, it presents a safety hazard in the judgement of the committee. The flagpole consists of 2 long sections of cedar trees joined in the middle with iron bands. The metal is badly rusted and the wood at

those points is badly deteriorated. Expensive repairs could be made, but the lack of use does not justify costly expense. We plan to remove the flagpole in April.

Because of the light workload of the committee until March, the committee has decided not to ask the town to elect a replacement for Rowena. Until the March election, Larry Walker will serve as Acting Chairman.

The former Silverside School offered Arden the used playground equipment. An on-site inspection of the equipment caused the committee to reject the offer; the equipment is old and in need of repairs.

Registration - Virginia Shaw

There are 389 residents eligible to vote at this Assembly.

The Registration Committee held the annual fiscal referendum from October 23 through November 6, 1984 to set the budget for 1985/86 and to choose Assessors. The budget as proposed by the September Town Assembly passed without change. Assessors elected are: William Press, John Grimaldi, Harold Monfort, Eugene Shaw, Shaul Gladstone, Bernard Brachman, and Donald Holcomb. Carl Falco was elected alternate.

The committee hopes to begin a new series of neighborhood open houses before the end of the fiscal year.

The Secretary and the Records Officer plan to continue examination of the town files for records management and preservation in compliance with State law. It is probable that an additional group will be selected before March for photocopying as insurance against loss of essential information through accident to original files.

It has been suggested that the Registration Committee sponsor a meeting for all newly elected committees just after the election or possibly an open meeting of all candidates between nominations and the election to clarify the committee duties, responsibilities and commitments. If either suggestion is supported by this Assembly, our committee is prepared to comply.

Safety - Thomas Colgan

At the request of the Civic Committee, the Safety Committee installed two "DIP" signs at the newly installed deep swale at Green and Walnut Lanes.

The Civic Committee has installed rock barriers at two places on Meadow Lane to prevent short cuts to non-Arden leaseholds, and the Safety Committee will erect "No Parking" signs when we have a break in the weather.

Residents are urged to take note of and to comply with the New Castle County dog ordinance.

Due to the abundance of children at Cherry and Green Lanes, a "Watch Children" sign will be installed.

OLD BUSINESS

The two amendments to Ordinance #13 received their third and final readings:

- #1. All residents must park on their leaseholds and not on the streets of Arden.
- #2. Continual overnight parking on Arden street rights-of-way is prohibited.

Both amendments were passed by Town Assembly and will become a part of the official ordinance.

Advisory Committee Motion #1 - Alton DahlProcedure for Replacement of Arden Committee Members

- A. Committee members who are unable to perform their elected duties are expected to resign to allow someone else to replace them on their committee.
- B. When a vacancy on a committee exists, the Committee Chairman will notify the Chairman of the Village Assembly and recommend a replacement. The candidate who is the highest runner-up in the previous election should be considered as first choice if available and willing. The Assembly Chairman shall confirm the vacancy and appoint an interim replacement until the next Town Assembly.
- C. In the event of resignation of a Committee Chairman, remaining members of the committee shall elect a new Chairman who will follow the above procedure to fill the vacancy.

Discussion: This motion is an attempt to deal with the problem of non-functioning committee members. The effective committee members must still take responsibility for urging negligent members to resign.

Moved that the procedure be changed to read "the Assembly Chairman may appoint an interim replacement" instead of shall appoint.
Motion Defeated.

Advisory Committee Motion #1 approved by Town Assembly.

Advisory Committee Motion #2 - Alton DahlNominating Procedure for Village Committees

- A. Revise the second sentence of Clause C of the Advisory Committee Duties described in the Addendum to the Act to Reincorporate to read, "They shall be required to submit at least a sufficient number of nominations as are to be elected to each committee."
- B. Additional nominations may continue to be made from the floor of the Assembly meeting in January and March. Those made in January will be included by the Village Secretary on the printed ballot after confirmation of the person's willingness to serve if elected. Nominations from the floor at the March meeting will be handled as write-in candidates on the ballot.

Discussion: The current practice of presenting a double-slate to Town Assembly is difficult and impractical. It involves more people than usually attend a Town Assembly. People agree to be nominated who have no real interest in serving.

Con: The double slate is the most democratic practice. If it is not working it is because we are too lazy to make it work. We should be making a greater effort to involve more residents in town government. There would be little interest in voting if no choices are presented. Being nominated can be an incentive to people who would not otherwise think of serving. The current system is one way to avoid the problem of

incumbents serving year after year.

The double slate system should also apply to Town Assembly Chairman, Advisory Chairman, Secretary, and Treasurer.

Pro: The single slate is more democratic as newcomers will have a better chance of being elected, especially if we add a clause mandating that at least one non-incumbent run for each committee. As the system now stands, committees must choose their own opposition. It would be more democratic if nominations came from the floor of the Assembly.

Suggestion: How about giving this proposal a limited trial and reviewing the results at the January 1987 meeting?

Motion Defeated.

Nominations for Standing Committees

Audit: Alton Dahl, Finn Hannover, Art Hurwitz, Mary Irons, James Schwaber, Donald Berman.

Budget: Ruth Holcomb, Milton Isaacs, Harold Monfort, Carl Falco, Ron Enie, Leon Tanzer (declined).

Buzz Ware Village Center: Aaron Hamburger, Albert Marks, Connee McKinney, Susan Warner, James Schwaber, Patricia Shaffer-Landis, Robert Jones, Cy Liberman.

Civic: Gail Rinehart, Leon Tanzer, Richard Florschutz, Michele Sullivan, Harold Monfort, Dane Miller.

Community Planning: Frank Akutowicz, Beverly Barnett, Sandra Hurlong, Robert Jones, John Landis, Etherl Monfort, Cecelia Vore.

Playground: Nancy Badner, Mary Brent Whipple, Mary Trench, Mary Ann Holcomb, Maria Burslem (declined), David Burslem (declined).

Registration: Lanier Colgan, Ruth Estes, John Hewlett, Beatrice Jaffe, Helen Macklem, Patricia Press, Virginia Shaw, Mary Trench, Temma Tanzer.

Safety: John Berk, Tim Colgan, Jack Dolmetsch (declined), James Brooks (declined).

Town Assembly Chairman: William Press

Advisory Chairman: Alton Dahl

Town Assembly Secretary: Sally Hamburger

Town Assembly Treasurer: Rae Gerstine

Virginia Shaw - How can we introduce nominees to a large portion of the voters? This is a worthwhile goal but only workable if we have a turnout of the electorate. It has also been suggested that there is a need to inform new committee members of their responsibilities.

Motion: At the March, 1985 Town Assembly, each committee chairman will present a brief description of the committee's duties before the election takes place.

Discussion: Nominees need to know the duties when they are asked to run; this is the responsibility of the committee chairmen when soliciting nominees.

Motion Defeated.

The Advisory Committee suggestion of a wine and cheese party to welcome new committee members can be carried out without a Town Assembly Motion

Town Assembly motion.

GOOD AND WELFARE

● Russell Peterson, former head of the Audobon Society, Governor of Delaware, and Clerk of Arden Town Assembly is returning to Delaware and will be speaking at a future Scholars Gild meeting.

● Bill Press attended an Ardencroft meeting about the Ardens' concern lest the recently sold Arden Y land on Harvey Rd. be rezoned for commercial use. The front strip of land is already zoned commercial. Ardencroft has requested that the zoning board inform them if any such request is received.

● The Secretary was instructed to send a condolence letter to Ken Schuyler on the death of his Great-Grandmother, Josephine Lister, a lifetime Arden resident.

● Mary Morley is homebound and would appreciate cards and calls.